

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERNESTO ESPINOZA, et. al.,

No. C 03-2896 SBA

**ORDER**

Plaintiffs,

[Docket No. 51]

v.

CITY OF DALY CITY, et al.,

Defendants.

This matter comes before the Court on the Defendants' August 8, 2005 *Ex Parte* Application for an Order Extending the Dispositive Motion Hearing Date or in the Alternative For An Order Shortening Time to Hear Defendants' Motion for Summary Judgement ("*Ex Parte* Application") [Docket No. 51]. On February 15, 2005, the parties and the Court agreed to a cut-off date of September 13, 2005 for hearing the parties' dispositive motions. On August 2, 2005, the Defendants filed a Motion for Summary Judgment, or in the Alternative, Summary Adjudication of the Issues. On August 8, 2005, Defendants' counsel was contacted by the Court and informed that September 13, 2005 was not available for hearing and was directed to make the above application. In its *Ex Parte* Application, Defendants' counsel requests the Court to either extend the dispositive motion hearing date, or, shorten time for the Court to hear Defendants' Motion for Summary Judgment.

Good cause appearing,

The Defendants' request is GRANTED.

IT IS HEREBY ORDERED THAT the Defendants' Motion for Summary Judgment is set for hearing on **September 20, 2005 at 1:00 p.m.**

1 IT IS FURTHER ORDERED THAT the Pre-Trial Conference is continued from September 6,  
2 2005 at 1:00 p.m. to September 27, 2005 at 1:00 p.m. The briefing schedule for the dispositive  
3 motions, and all other dates not explicitly referenced herein, shall remain the same.

4 IT IS SO ORDERED.

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6  
7 Dated: 8-22-05

*Saundra B. Armstrong*

SAUNDRA BROWN ARMSTRONG  
United States District Judge